



UNITED STATES PATENT AND TRADEMARK OFFICE

mn
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,117	07/13/2001	Alexander Channing Ho	ORCL5769	3844

53156 7590 05/17/2007
YOUNG LAW FIRM, P.C.
4370 ALPINE RD.
STE. 106
PORTOLA VALLEY, CA 94028

EXAMINER

JEAN GILLES, JUDE

ART UNIT	PAPER NUMBER
----------	--------------

2143

MAIL DATE	DELIVERY MODE
-----------	---------------

05/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/905,117	Applicant(s) HO, ALEXANDER CHANNING	
	Examiner Jude J. Jean-Gilles	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7-10, 12, 15, 16, 20-34 and 36-38 is/are rejected.
- 7) ☒ Claim(s) 2-6, 13, 14, 17-19 and 35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Action is in regards to the Reply received on 03/05/2007.

Response to Amendment

1. This action is responsive to Reply filed on 03/05/2007. No claim has been amended. Claims **1, 7-10, 12, 15, 16, , 20-34, and 36-38** are currently pending and represent a method and system for *"Dynamic and Automatic Content Creation for Mobile Devices"*.

Response to Arguments

2. Applicant's arguments with respect to claims 1, and 20 have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new ground of rejection as explained here below. The combination Hawkins-Ando discloses the claimed limitations specified below(see rejection of claim 1].

The dependent claims stand rejected as articulated in the Previous Office Action and all objections not addressed in Applicant's response are herein reiterated.

In response to Applicant's arguments, 37 CFR § 1.11(c) requires applicant to "clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must show the amendments avoid such references or objections."

Allowable Subject Matter

3. **Claims 2-6, 13, 14, 17-19, and 35** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1, 7-10, 12, 15, 16, , 20-34, and 36-38** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins et al (Hawkins), U.S. Patent No. 6,343,318 B1 in view of Ando, U.S. Pub. No. 2002/0173907 A1.

Regarding **claim 1**, Hawkins discloses the invention substantially as claimed. Hawkins teaches a method for delivering content to a mobile device (*column 8, lines 6-11; fig. 1, item 100*), comprising the steps of:

receiving a first request for content from the mobile device (*column 12, lines 49-64; fig. 2, item 240*);

responsive to the first request for content, sending to the mobile device (*column 12, lines 64-67; fig. 2, item 260*) an address of the requested content in a reference format (*column 13, lines 47-53; it is important to note that " when the browser appends*

text parameters to the end of the base document URL" is equivalent to the reference format disclosed); however Hawkins does not teach in detail receiving a second request from the mobile device for the content subsequent to the first request for content, the second request from the mobile device being different from the first request received from the mobile device, the second request specifying an address of the requested content and a type of the mobile device .

In the same field of endeavor, Ando discloses a system and a method "...
Another mobile device according to the present invention comprises:
position information acquisition means for acquiring position information;
signal generation means for generating a first request signal containing the position information; input means for inputting data; and communication means for communicating a signal to/from an external device or another mobile device.
When requesting data obtained by another mobile device, the communication means of this mobile device transmits the first request signal containing the position information to the external device and receives data returned from another mobile device in accordance with the first request signal. When providing data to another mobile device, the communication means receives a second, request signal containing information related to another mobile device transmitted from the external device and returns data inputted by the input means in accordance with the second request signal to another mobile device..." [see Ando, Par. 0013].

responsive only to the second request of Ando, Hawkins teaches fetching the requested content in the reference format from the specified address (*fig. 2, item 270*)

and converting the fetched content from the reference format to a format suitable to the mobile device (*column 10, lines 7-13*), and

delivering the converted content to the mobile device (*fig. 2, item 280*).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Ando's teachings of receiving a first and second request for content with the teachings of Hawkins, for the purpose of disclosing "*an improved system and method for handheld device to access Internet information over relative low bandwidth networks*" [see Hawkins, column 3, lines 25-27]. Ando also provides motivation to combine by stating that "...to provide a data communication system and method and a mobile device which enable easy acquisition of the state of a desired position on a route to be taken by a certain mobile terminal..." (see Ando, Par. 0007). By this rationale, **claim 1** is rejected.

Regarding claim 7: the combination Hawkins-Ando teach the method of Claim 1, wherein the first sending step sends the address of the requested content within a base file [see Hawkins; *column 22, lines 52-59; it is important to note the presence of the base document followed by data identifying the contents address*]. The same motivation that was used for claim 1, also applies to claim 7 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 7** is rejected.

Regarding claim 8: the combination Hawkins-Ando teach the method of Claim 1, wherein the address includes a Universal Resource Locator of the requested content

[see Hawkins; *column 22, lines 52-59; it is important to note that the single packet of data has a based document uniform resource locator followed by data that references fields and links of the contents*]. The same motivation that was used for claim 1, also applies to claim 8 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 8** is rejected.

Regarding claim 9: the combination Hawkins-Ando teach the method of Claim 1, wherein the converting step carries out at least one of the following steps:

- re-sizing the requested content;
- converting the requested content from color to black and white;
- cropping the requested content;
- dithering the requested content,
- flipping the requested content, and
- changing the number of colors of the requested content.

re-sizing the requested content [see Hawkins; *column 10, column 7-14*];

converting the requested content from color to black and white [see Hawkins; *column 21, lines 62-67*;

cropping the requested content [see Hawkins; *column 11, lines 64-65*];

changing a number of colors of the requested content [see Hawkins; *column 21, lines 62-67*]. The same motivation that was used for claim 1, also applies to claim 9 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 9** is rejected.

Regarding claim 10: the combination Hawkins-Ando teach the method of Claim 1, further comprising a step of storing a copy of the converted content in a cache

memory [see Hawkins; *column 241, lines 7-12; column 10, lines 24-26*]. The same motivation that was used for claim 1, also applies to claim 10 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 10** is rejected.

Regarding claim 12: the combination Hawkins-Ando teach the method of Claim 1, wherein the type of mobile device includes make and model information of the mobile device [see Hawkins; *column 249, lines 30-32 ; it is important to note a connect call is made to specify a remote IP address and port number for the socket. According to the Microsoft Computer Dictionary, fourth edition, "a socket is defined as an identifier for a service on a particular node on a network". The socket here is provided with the address specifying the type of wireless client. It is functionally inherent to add the make and the model as part of the socket information*]. The same motivation that was used for claim 1, also applies to claim 12 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 12** is rejected.

Regarding claim 15: the combination Hawkins-Ando teach the method of Claim 1, wherein the requested content includes an image and wherein the converting step includes a step of changing the resolution of the image [see Hawkins; *column 20, lines 60-67*]. The same motivation that was used for claim 1, also applies to claim 15 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 15** is rejected.

Regarding claim 16: the combination Hawkins-Ando teach the method of Claim 1, wherein the delivering step delivers the converted content to the mobile device at a selectable bit rate [see Hawkins; *column 262, lines 19-27*]. The same motivation that

was used for claim 1, also applies to claim 16 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 16** is rejected.

Regarding claim 20: the combination Hawkins-Ando teach a computer system configured to deliver content to a mobile device [see Hawkins; *column 8, lines 6-11; fig. 1, item 100*], comprising:

a first server [see Hawkins; *fig. 1, item 180*] configured to deliver, responsive to a first request for content from the mobile device, an address of a content in a reference format [see Hawkins; *column 13, lines 47-53; it is important to note that "when the browser appends text parameters to the end of the base document URL" is equivalent to the reference format disclosed*] responsive to a request for the content from the mobile device [see Hawkins; *fig. 1, item 100*], and

a first proxy server [see Hawkins; *fig. 1, item 180*] configured to receive a second request from the mobile device the content, the second request from the mobile device being different from the first request received from the mobile device the second request including , the address of the requested content in the reference format and a type of the mobile device [see Ndili, column 9, lines 37-57], (see Hawkins; *column 10, 7-13; fig. 2, item 250; Hawkins et al disclose that "converting image content to a size and bit depth appropriate for display on the wireless communications device" which inherently reveals the type of wireless device*), to fetch the content at the received address responsive only the second request only, to convert the fetched content from the reference format to a format suitable to the type of mobile device and to deliver the

Art Unit: 2143

converted content to the mobile device [see Hawkins; *column 10, lines 8-13; fig. 2, items 270, 280*; see Ando, Par. 0013-0023]. The same motivation that was used for claim 1, also applies to claim 20. By this rationale, **claim 20** is rejected.

Regarding claim 21: the combination Hawkins-Ando teaches the computer system of Claim 20, wherein the first proxy server is a software module [see Hawkins; *fig. 1, item 180; column 18, lines 55-58; it is important to note that that the proxy server 180 converts the CTP query 124 to an HTTP query 126 and forwards that HTTP query 126 to the web server* in fig. 1. A program that resides on the Proxy server enables the said proxy server to "parse the parameters of the URL and send them to the executable program of the web server" as stated by Hawkins et al in columns 50-53 of column 13]. The same motivation that was used for claim 1, also applies to claim 21. By this rationale, **claim 21** is rejected.

Regarding claim 22: the combination Hawkins-Ando teach the computer Claim 21, wherein the software module runs on the first server [see Hawkins; *fig. 1, item 180; column 18, lines 55-58; it is important to note that that the proxy server 180 converts the CTP query 124 to an HTTP query 126 and forwards that HTTP query 126 to the web server* in fig. 1. A program that resides on the Proxy server enables the said proxy server to "parse the parameters of the URL and send them to the executable program of the web server" as stated by Hawkins et al in lines 50-53 of column 13]. The same motivation that was used for claim 1, also applies to claim 22 [see Hawkins; *column 3, lines 25-27*]. By this rationale, **claim 22** is rejected.

Regarding claim 23: the combination Hawkins-Ando teach the method of claim 21, wherein the software module runs on at least one third server that is distinct from the first server [see *Case*; *fig. 3B, items 305*]. The same motivation that was used for claim 1, also applies to claim 23 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 23** is rejected.

Regarding claim 24: the combination Hawkins-Ando teach the computer of Claim 20, wherein the first proxy server includes hardware [see Hawkins; *fig. 1, item 140*; *Hawkins et al* disclose that the proxy server (first server 180) and the web server (second server 140) are all coupled to the Internet]. The same motivation that was used for claim 1, also applies to claim 24 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 4** is rejected.

Regarding claim 25: the combination Hawkins-Ando teach the computer of Claim 24, wherein the first server and the first proxy server are coupled to one another by a computer network (*fig. 1, items 180, 140, 190; column 8, lines 22-27*). The same motivation that was used for claim 1, also applies to claim 25 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 25** is rejected.

Regarding claim 26: the combination Hawkins-Ando teach the computer of Claim 25, further including a plurality of second proxy servers each of the plurality of second proxy servers being configured as first proxy servers and coupled to a computer network [see Hawkins; *fig. 1*]. The same motivation that was used for claim 1, also applies to claim 26 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 26** is rejected.

Regarding claim 27: the combination Hawkins-Ando teach the computer of Claim 25, wherein at least some of the plurality of second proxy servers are geographically separated from one another [Hawkins; *fig. 1*]. The same motivation that was used for claim 1, also applies to claim 27 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 27** is rejected.

Regarding claim 28: the combination Hawkins-Ando teach the computer system of Claim 20, wherein the first server is configured to send the address of the requested content within a base file [see Hawkins; *column 22, lines 52-59; it is important to note the presence of the base document followed by data identifying the contents address*]. The same motivation that was used for claim 1, also applies to claim 28 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 28** is rejected.

Regarding claim 29: the combination Hawkins-Ando teach the computer system of Claim 20, wherein the address includes a Universal Resource Locator of the requested content [see Hawkins; *column 22, lines 52-59; it is important to note that the single packet of data has a based document uniform resource locator followed by data that references fields and links of the contents*]. The same motivation that was used for claim 1, also applies to claim 29 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 29** is rejected.

Regarding claim 30: the combination Hawkins-Ando teach the computer system of Claim 20, wherein the first proxy server is also configured to selectively re-size the requested content, convert the requested content from color to black and white, crop the

requested content, dither the requested content, flip the requested content or to change the number of colors of the requested content.

Hawkins et al disclose the steps below:

re-sizing the requested content [see Hawkins; *column 10, lines 7-14*];

converting the requested content from color to black and white [see Hawkins; *column 21, lines 62-67*];

cropping the requested content [see Hawkins; *column 11, lines 64-65*];

changing the number of colors of the requested content [see Hawkins; *column 21, lines 62-67*]. The same motivation that was used for claim 1, also applies to claim 30 [see Hawkins; *column 3, lines 25-27*]. By this rationale, **claim 30** is rejected.

Regarding claim 31: the combination Hawkins-Ando teach the computer system of Claim 20, wherein the first proxy server is also configured to store a copy of the converted content in a cache memory [see Hawkins; *column 241, lines 7-12*; *column 10, lines 24-26*]. The same motivation that was used for claim 1, also applies to claim 31 [see Hawkins; *column 3, lines 25-27*]. By this rationale, **claim 31** is rejected.

Regarding claim 32: the combination Hawkins-Ando teach the computer system of Claim 31, wherein the first proxy server is configured to deliver the copy of the converted content from the cache memory if a valid copy of the converted content is present in the cache memory [see Hawkins; *column 10, lines 24-26*]. The same motivation that was used for claim 1, also applies to claim 32 [see Hawkins; *column 3, lines 25-27*]. By this rationale, **claim 32** is rejected.

Regarding claim 33: the combination Hawkins-Ando teach the computer system of Claim 20, wherein the type of mobile device includes make and model information of the mobile device [see Hawkins; *column 249, lines 30-32* ; *it is important to note a connect call is made to specify a remote IP address and port number for the socket. According to the Microsoft Computer Dictionary, fourth edition, "a socket is defined as an identifier for a service on a particular node on a network". The socket here is provided with the address specifying the type of wireless client. It is functionally inherent to add the make and the model as part of the socket information*]. The same motivation that was used for claim 1, also applies to claim 33 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 33** is rejected.

Regarding claim 34: the combination Hawkins-Ando teach the computer system of Claim 20, wherein the first proxy server is configured to maintain a configuration table associating the type of mobile device with display characteristics of the mobile device [see Hawkins; *fig. 6, item 620; column 156, lines 8-11; It is important to note that a table similar to the table of columns 133-134 is used to keep the Compact Markup Language Tags*]. The same motivation that was used for claim 1, also applies to claim 34 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 34** is rejected.

Regarding claim 36: the combination Hawkins-Ando teach the computer system of Claim 20, wherein the content is of a type selected from a group including image, video, audio, audio stream and video stream Hawkins et al teach a network "server that includes support for almost all versions of HTML, HTTP, SMTP, POP, etc." [see Hawkins; *column 261, lines 31-36*]. The same motivation that was used for claim 1, also

applies to claim 36 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 36** is rejected.

Regarding claim 37: the combination Hawkins-Ando teach the computer system of Claim 36, wherein the reference format is different for each type of content [see Hawkins; *column 10, lines 7-13, 24-25*]. The same motivation that was used for claim 1, also applies to claim 37 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 37** is rejected.

Regarding claim 38: the combination Hawkins-Ando teach the computer system of Claim 20, wherein the first proxy server is a software module and wherein the address of the content in the reference format is passed as an argument to the software module [see *Hawkins; column 259, lines 10-12*]. The same motivation that was used for claim 1, also applies to claim 38 [see Hawkins; column 3, lines 25-27]. By this rationale, **claim 38** is rejected.

Response to Arguments

5. Applicant's Request for Reconsideration filed on 02/21/2006, has been carefully considered but is deemed persuasive. The combination of Hawkins and Case patents does not specifically disclose, receiving a second request from the mobile device for the content subsequent to the first request for content, the second request from the mobile device being different from the first request received from the mobile device, the second request specifying an address of the requested content and a type of the mobile device of independent claims 1 and 20. However,

Conclusion


6. Applicant's arguments made in the amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE NON-FINAL**. The Examiner strongly anticipate a Final Rejection Office Action on the next response if amendments are not properly made to the claims to perhaps place them in condition for allowance.

Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3719.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jude Jean-Gilles
Patent Examiner
Art Unit 2143
JJG


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

May 12, 2007